

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:05CR233
)	
v.)	
)	
GILBERTO VERDUGO GUTIERREZ,)	ORDER
)	
Defendant.)	
_____)	

This matter is before the Court on the report and recommendation and order of the magistrate judge (Filing No. 53), recommending that defendant's motion to suppress (Filing No. 16) and amended motion to suppress (Filing No. 23) be denied. The Court has reviewed the transcript of the hearing held by the magistrate judge (Filing No. 52), and notes no objections have been filed by defendant. The Court finds that the record supports the findings of the magistrate judge and that his report and recommendation should be approved and adopted. Accordingly,

IT IS ORDERED:

- 1) The report and recommendation of the magistrate judge is approved and adopted;
- 2) Defendant's motion to suppress and amended motion to suppress are denied;
- 3) Trial of this matter is scheduled for:

Monday, July 21, 2008, at 9 a.m.

Courtroom No. 5, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska. Due to the schedule of counsel and the Court, the ends of justice will be served by continuing this case and outweigh the interests of the public and the defendant in a speedy trial. The additional time between June 12, 2008, and July 21, 2008, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. 18 U.S.C. § 3161(h) (8) (A) & (B).

DATED this 12th day of June, 2008.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court